THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.15016 of 2005

DATED:4.8.2005

Between:

V. Pulla Rao

…Petitioner

And

The Commissioner of Endowments,

Andhra Pradesh, Hyderabad, and another

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.15016 OF 2005

ORDER:

The petitioner claims to be member of founder family who founded Sri Kondalamma Ammavari Devalayam, Vemavaram Village, Krishna District. It appears, some time in April 2005 he approached the second respondent requesting him to recognise petitioner as member of the founder's family. In response thereto, second respondent published a notice in the newspapers dt.30.4.2005 inviting objections. It is alleged that no interim orders are passed thereon. Second respondent issued another notice dt.6.7.2005 inviting applications from interest persons for being appointed as members of the Board of Trustees of the said temple. Aggrieved by the

same, present Writ Petition is filed.

It is contended that unless and until the petitioner's application for being recognized as member of the founder's family is disposed of, second respondent is precluded from issuing any notification for appointment of Board of Trustees.

As per Section 87(h) of A.P.Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for short, the Act), as amended by Act No.27 of 2002, the power to recognize a person as member of founder's family inheres in the Deputy Commissioner of Endowments. Admittedly, the petitioner has not made any application to Deputy Commissioner of Endowments, but approached second respondent Assistant Commissioner. Therefore, there is no infirmity in second respondent issuing impugned notification. If so advised, petitioner may approach the jurisdictional Deputy Commissioner of Endowments for appropriate redressal. In this Writ Petition, no relief can be granted.

The Writ Petition, with the above observation is dismissed. No costs.

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4.8.2005 (V.V.S.RAO, J)

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